

REMARKS

Applicant respectfully requests that the above-identified application be re-examined.

The July 12, 2006, Office Action ("Office Action") in the above-identified application rejected Claims 1, 8, and 15 under 35 U.S.C. § 112 on the grounds that the phrase "can be higher" makes the claims unclear as to whether or not the voltage applied to the information transmission component is higher than a turn on voltage of the LED signal generator. Additionally, given this deficiency, the claims can allegedly be interpreted to have such condition optionally. As a result, the rejections based on U.S. Patent No. 6,397,091 (discussed below) were made by interpreting the claims such that the voltage applied to the information transmission component is not higher than the turn on voltage of the LED signal generator. In response, Claims 1, 8, and 15 have been amended to eliminate the lack of clarity and make it clear that the voltage that causes the information transmission component to transmit the stored information is higher than the turn on voltage of the light source, e.g., the LED signal generator. As a result, applicant respectfully submits that this rejection has been rendered moot and requests that it be withdrawn.

In addition to amending Claims 1, 8, and 15 in the manner described above, various additional clarifying amendments have been made to the claims. In addition, new Claims 20-26 have been added. Further, various reference number, grammatical, and spelling corrections have been made to the specification.

The Office Action also rejected Claims 1-19 under 35 U.S.C. § 102(b) as being anticipated by the teachings of U.S. Patent No. 6,397,091 ("Diab et al."). As noted above, the rejection was based on interpreting the claims such that the voltage applied to the information transmission component that causes the information transmission component to transmit information is not less than or equal to the turn on voltage of the light source, e.g., the LED

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

REMARKS

Applicant respectfully requests that the above-identified application be re-examined.

The July 12, 2006, Office Action ("Office Action") in the above-identified application rejected Claims 1, 8, and 15 under 35 U.S.C. § 112 on the grounds that the phrase "can be higher" makes the claims unclear as to whether or not the voltage applied to the information transmission component is higher than a turn on voltage of the LED signal generator. Additionally, given this deficiency, the claims can allegedly be interpreted to have such condition optionally. As a result, the rejections based on U.S. Patent No. 6,397,091 (discussed below) were made by interpreting the claims such that the voltage applied to the information transmission component is not higher than the turn on voltage of the LED signal generator. In response, Claims 1, 8, and 15 have been amended to eliminate the lack of clarity and make it clear that the voltage that causes the information transmission component to transmit the stored information is higher than the turn on voltage of the light source, e.g., the LED signal generator. As a result, applicant respectfully submits that this rejection has been rendered moot and requests that it be withdrawn.

In addition to amending Claims 1, 8, and 15 in the manner described above, various additional clarifying amendments have been made to the claims. In addition, new Claims 20-26 have been added. Further, various reference number, grammatical, and spelling corrections have been made to the specification.

The Office Action also rejected Claims 1-19 under 35 U.S.C. § 102(b) as being anticipated by the teachings of U.S. Patent No. 6,397,091 ("Diab et al."). As noted above, the rejection was based on interpreting the claims such that the voltage applied to the information transmission component that causes the information transmission component to transmit information is not less than or equal to the turn on voltage of the light source, e.g., the LED

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

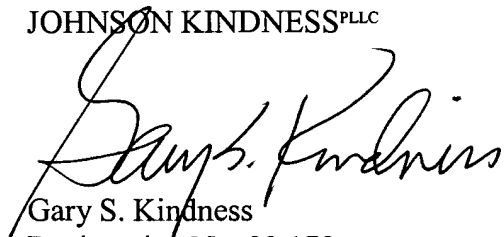
signal generator. As noted above, Claims 1, 8, and 15, the only independent claims in this group, have been amended to make it clear that the information transmission component voltage is higher than the turn on voltage of the light source, e.g., the LED signal generator. Similar terminology is included in new independent Claim 20. It is clear from reviewing the portions of Diab et al. referred to in the rejection of Claims 1-19 under 35 U.S.C. § 102 that Diab et al. does not teach this subject matter. Diab et al. teaches applying the same voltage to an LED signal generator as applied to an associated source of information. See, for example, Figure 8 and the description starting in Col. 18, line 30. It is clear that the information coded resistor 332 receives the same voltage as that applied to LED 312. As a result, applicant respectfully submits that this and other limitations in the claims make all of the claims in this application clearly patentably distinguishable over the teachings of Diab et al. Regarding other limitations, Diab et al. does not teach or suggest applying the turn on voltage to the information transmission component without causing the LED to turn on (Claim 1) or the signal generator to generate a signal (Claim 15), or a switching system as recited in Claim 20. These limitations further patentably distinguish these independent claims, as well as the claims dependent therefrom, from the teachings of Diab et al.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{LLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

In summary, applicant submits that all of the claims of this application are clearly patentably distinguishable in view of the teachings of Diab et al. Consequently, early and favorable action allowing these claims and passing this application to issue is respectfully solicited.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Gary S. Kindness
Registration No. 22,178
Direct Dial No. 206.695.1702

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first-class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: October 10, 2006 

GSK:aew

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100